

# UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

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In Re: )  
 )  
PUBLIC SAFETY NATIONAL )  
COORDINATION COMMITTEE )

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## HERITAGE REPORTING CORPORATION

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In Re: )  
 )  
PUBLIC SAFETY NATIONAL )  
COORDINATION COMMITTEE )

Commission Meeting Room  
Federal Communication  
Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Friday,  
June 2, 2000

The parties met, pursuant to adjournment, at  
8:36 a.m.

APPEARANCES:

PANEL:

EDWARD DEMPSEY, Chair

MICHAEL WILHELM

RICHARD DEMELLO

FRED GRIFFIN

TOM TOLMAN

ALI SHANAMI

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GLEN NASH

DAVID EIERMAN

BERT WEINTRAUB

APPEARANCES: (Continued)

PARTICIPANTS:

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DAVID BUCHANAN

ART MCDOLE

CARLTON WELLS

NORM COLTRI

STEVE BEEFERMAN

BOB SPEIDEL

WAYNE LELAND

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STEERING COMMITTEE:

KATHLEEN WALLMAN, Chair

HARLEN MCEWEN

DEREK SIEGLE

WAYNE LELAND

ERNEST HOFMEISTER



1 MR. DEMPSEY: Then I will consider them approved.

2 Any comments on the agenda?

3 (No response.)

4 MR. DEMPSEY: Consider the agenda approved and  
5 ready to go. And I'd like to get right into reports from  
6 the work group. The first one from Dave Eierman, digital  
7 television work group.

8 MR. EIERMAN: Just to let you know, there should  
9 be copies of numerous documents for implementation back on  
10 the back table. There is a draft outline of the national  
11 plan, a draft guideline and a draft guideline, Appendix M,  
12 which is titled "DTV Transition." So you people who were  
13 here yesterday the DTV transition part wasn't there  
14 yesterday. It's there today.

15 You know, there is an ongoing issue with TV  
16 transition out of this band, I guess. You know, we started  
17 out with about 64 TV stations, either co-channel or adjacent  
18 channel, and seven DTV stations that were blocking public  
19 safety. They are basically all still there. There has been  
20 a few stations move out or find other places to go on a  
21 couple of the other channels, 60 through 69, but none of the



1 public safety have moved as of yet

2 THE AUDIENCE: Dave, we can't hear you.

3 MR. EIERMAN: You can't hear me. Am I not close  
4 enough to the microphone? Okay, I'll talk into the  
5 microphone.

6 This draft guideline, Appendix M, is basically a  
7 summary of the report and order. I pulled out the important  
8 points and rules that I believe the regional planning  
9 committees need to consider when they are going to plan for  
10 co-chairing this band with TV until they transition out.  
11 It's got some guidelines for short spacing or it refers them  
12 to the rules for the tables for TV sharing spacing.  
13 And at the back of it is the time line that I handed out at  
14 the previous meeting.

15 I'm sorry, but I edited this thing last night and  
16 it wouldn't let me open the docket this morning. So this is  
17 like last Friday's version and there is a couple of things  
18 missing out of it, but it wouldn't let me open the edited  
19 version this morning.

20 I was going try and get rid of the time line and  
21 put it in a paragraph in there and a couple other little

1 changes I made.

2           So, you know, basically, land-mobile moving into  
3 this band has to deal with incumbent television and  
4 incumbent DTV allotments. So land-mobile has to protect TV  
5 receivers, and TV has very wide areas of -- you know, they  
6 have very large service areas, something in the order of 55  
7 miles plus for a typical Grade B contour, and they get  
8 protection from co-channel land-mobile base stations using  
9 the TV sharing rules from Part 9309 for 470 to 512 out to  
10 about 120 miles, and mobiles and control stations have to be  
11 at least five miles outside their Grade B.

12           So I mean, even at the shortest spacing a base  
13 station has got to be somewhere on the order of 90 miles  
14 away from a TV station, whether it's co-channel or adjacent  
15 channel.

16           The rules do allow you to short space or do  
17 engineering analysis. Short spacing could be done if you  
18 can prove there is terrain barriers or use directional  
19 antennas or, you know, prove that your mobiles aren't going  
20 to get within five miles of their contour. They have got to  
21 submit an engineering analysis.

1           The same thing with -- well, and then an  
2   engineering analysis, you know, and it's a generally  
3   accepted engineering models. What the FCC has modified  
4   "lonely rice" to use in the satellite broadcast issues where  
5   proving whether a household is inside -- is receiving a  
6   Grade B level signal or not so that people can prove that  
7   they are -- you know, basically prove that they are not  
8   receiving a Grade B signal if they are within the Grade B so  
9   that they can get satellite service. So FCC has accepted  
10   "lonely rice," and a modified version with terrain data and  
11   with laying use land cover data.

12           As matter of fact, it's the same land use land  
13   cover out of TSB-88 because they referenced Tom Rubeinstein  
14   of Motorola, who wrote the table. So we're certain it's the  
15   same land use land cover table.

16           So they are accepting engineering models for short  
17   spacing.

18           Some of the other things that have happened, you  
19   know, PAX TV, who runs like Lifetime Networks and some  
20   religious channels, they have like 19 stations in this band,  
21   and they said they would be willing to move out of the band

1 earlier with some conditions, you know, that cable must  
2 carry, get solved so that cable can carry, you know, their  
3 analog or their digital or both signals, and basically if  
4 somebody is willing to pay them to move, and they estimate  
5 it's about \$3 million to move; you know, move their  
6 transmitter and retune their antenna.

7           There is another -- I think there was a -- I saw a  
8 memo last week about the same topic. There is some network  
9 of stations in the northeast that is also willing to do a  
10 similar thing.

11           One of the major issues that's holding up DTV  
12 transition is what's happening with cable. The cable  
13 industry doesn't have to have set top boxes available until  
14 July this year, and there is petitions to delay that date,  
15 plus the cable TV industry, you know, like the TV industry,  
16 has a date certain, you know, however firm that is, of  
17 December 31, 2006, when they have to cease analog  
18 transmission and convert to digital transition.

19           The cable industry has no date certain for that,  
20 so you know, there is not as big a push in the cable  
21 industry to go out and convert all these cable systems to

1     carry digital broadcast signals.

2                 The cable industry has some issues with the format  
3     that the over-the-air broadcasters are using. The over-the-  
4     air broadcasters are using 1,080 lines on the interlace  
5     format and the cable people think that uses up a lot of band  
6     width and would prefer to use 720 lines in a progressive  
7     format. So they haven't come to agreement on the format,  
8     plus they're -- you know, just like the MP-3 issue, there is  
9     copyright issues and encryption issues when it's transmitted  
10    over cable.

11                So all those issues hadn't been resolved. It was  
12    like about a half a dozen issues. I think they were  
13    resolved in November, three or four of the issues, but  
14    they've still got three or four more issues to come to  
15    agreement on.

16                I pulled some information from National  
17    Association of Broadcasters and the Consumer Electronics  
18    Association.

19                In 1999, there were about 20,000 high definition  
20    television sets capable of receiving HDT TV over the air  
21    sold in the U.S. versus 20 million analog TV sets.

1           Again, in January,. they sold another like 10 or  
2   11 thousand, so they sold half as many in January as they  
3   did all of last year. Even at those rates, the Consumer  
4   Electronic Association predicts that there will only be 50  
5   percent market penetration by 2006 or 2007, well below the  
6   85 percent limit where analog TV has to be turned off.

7           So you know, I guess the consumer electronic  
8   industry is sort of predicting that they are not going to  
9   make the date at the moment, even though the rate of buying  
10  digital sets is increasing.

11           Some other things happening is, you know, the  
12  other 36 megahertz in this Channel 60 through 69 has to be  
13  auctioned off. The auctions were originally set for May.  
14  They got delayed until June, and they got delayed again  
15  until September, you know. And our hopes were that once  
16  this spectrum got auctioned off on the other 60 - 61, 62,  
17  65, 66, 67 that the commercial carriers who bought the  
18  spectrum at auction would give the existing, the incumbent  
19  broadcaster some incentive to move off of the spectrum.

20           And you know, the longer that gets delayed the  
21  less likely that's going to happen. But we still expect

1     that they will be allowed to give the existing broadcaster  
2     some financial incentive to move, and especially -- you  
3     know, since the commercial people have the same rules that  
4     they have to deal with the co-channels and the adjacent  
5     channels, they are going to have to clear 62, 63, 64, 65, 67  
6     and 68 if they want to fully utilize the spectrum nationwide  
7     so that helps us out. I mean, they have pretty much got to  
8     clear everything except Channel 69.

9             So, you know, I'm still monitoring that and  
10    hopefully by September -- well, actually, I guess -- well, I  
11    guess the auction is scheduled right before the meeting now.

12    It was later, but okay. In September, I'll give you an  
13    update on what's happening there.

14            Besides the cable format battle, there is some of  
15    the over-the-air broadcasters think they should be using a  
16    different format. The COFDM battle versus the eight level  
17    decibel side band battle, and there is some retesting of  
18    fringe area coverage versus urban multipath delay coverage  
19    going on now. So I guess we're waiting for that to be  
20    finalized.

21            The FCC has -- you know, we are two years into the

1 DTV transition. It was an eight-year process. There was a  
2 notice of proposed rulemaking, multimedia document number  
3 00-39 for the DTV bi-annual review. Let's see, I guess on  
4 May 17th was the due date on that. I actually got a  
5 summary, you know, Motorola's internal summary I haven't  
6 actually read yet, to read and make some -- you know, see if  
7 there is anything important that the -- I guess basically,  
8 you know, broadcasters' comments and commercial carriers'  
9 comments about, you know, vacating this spectrum and moving  
10 to digital television.

11 I guess, you know, once I get some important  
12 points on that, I will distribute probably through the  
13 implementation list server. I don't think there is very  
14 many people on the DTV list server.

15 One of the topics I'm going to defer to Bob  
16 Schlieman on, and that is what's happening along the  
17 Canadian border. Basically, I think we probably mentioned  
18 before that Canada had allotted DTV stations for low power  
19 and basically -- you know, they did like the FCC did. They  
20 set up a table of allotments allotting every existing  
21 broadcaster a new DTV allotment. Well, besides full-service



1 stations, they allotted low power people stations, and Bob  
2 has some report on that of what's happening there and some  
3 analysis that I will let him give a brief summary.

4 MR. SCHLIEMAN: Okay, the State of New York has  
5 been doing quite an exhaustive analysis of this problem  
6 because of the fact that they have -- Canada has an  
7 allotment plan that puts it all -- all the high power  
8 stations in 60 to 69, right across from our border which  
9 there doesn't seem to be a good reason for it yet.

10 And so we have made some recommendations. We  
11 started meeting with the Commission, Office of Engineering  
12 Technology, International Bureau, and Wireless  
13 Telecommunications Bureau last July, 1999. And then it  
14 turns out that a draft letter of understanding between  
15 Industry Canada and the Federal Communications Commission,  
16 which did not reference the respective government, i.e.,  
17 State Department, was put forth on November 15, 1999, and  
18 this provided no protection, no standing whatsoever for  
19 public safety with regard to any interference issues either  
20 from or to television.

21 The letter of understanding covers the whole

1 television broadcast band from Channel 69 down to Channel 2.

2 And for those of you that would like to see that document,  
3 it is available on an engineering consulting firm's web  
4 site, [www.H-E.com](http://www.H-E.com). It's right on their web site home page,  
5 along with some analyses that they have done from the  
6 broadcast perspective of the plan. I won't bother going  
7 into those details because they are really not germane to  
8 land-mobile radio. They are broadcast issues.

9 But they, in their first analysis, spent a  
10 paragraph in their report explaining how they got this  
11 document because, quite frankly, no one that I am aware of  
12 has been able to get a copy of this document from the  
13 Federal Communications Commission or any other agency in the  
14 U.S. -- agency of the government.

15 And so it came from Canada, and it was not offered  
16 with any restrictions of any kind, so they felt that it was  
17 appropriate that they could include that since they were  
18 doing an engineering report based on that.

19 So the whole LOU, the document itself is, I think,  
20 about seven pages long. I didn't bring the whole binder  
21 over here. But that's just the letter of understanding and

1 then there are all the appendices which make the thing quite  
2 voluminous. They go into all the details. It's a good  
3 document to read to really understand the situation.

4 We have made some -- we are making some  
5 recommendations, let's put it that way, and plan to bring  
6 that up in the NCC steering committee meeting this afternoon  
7 or this morning, whichever time slot we get.

8 And basically what we are suggesting is that 60 to  
9 69, first off, should be blocked out along the border, and  
10 then the channels should be prioritized somewhat the way we  
11 packed NPSTC channels. The higher priority areas, such as  
12 high population in the Toronto area should be first on the  
13 list for availability of channels. And the higher radius  
14 coverage or higher class of station in Canada should be  
15 sorted first to get the first shot at the availability of  
16 channels.

17 And since all of those are primarily in the  
18 northeast, in fact, primarily around Toronto, with one -- I  
19 believe there is one station out in Victoria that's one of  
20 the higher class stations, they need to -- they need to be  
21 sorted early on. And then the smaller systems would be

1 following that in order of their radius of coverage, their  
2 Grade B contours.

3 And we think that by doing that following  
4 essentially the concept that the FCC used where you take  
5 your active stations first and sort those that the problem  
6 can be resolved in a very useful manner for both sides.

7 Because we didn't seem to be getting anywhere with  
8 our original meetings back in July and subsequent attempts  
9 to find out what was going on, when we found out about this  
10 web site, and the LOU, and the fact that it was due to be  
11 signed very soon, that we decided it was time to make sure  
12 that the chairman of the FCC was aware of what was going on  
13 because we didn't seem to be getting any attention at the  
14 staff level in response to our concerns.

15 So we started a letter writing campaign. A total  
16 of five governors of border states have signed letters, and  
17 I'm not sure if Washington's governor has done his yet, but  
18 Ohio, Michigan, New York, Vermont, Maine have signed  
19 letters, and sent them to Kennard. Also, the copies of the  
20 letters have been circulated through various other avenues  
21 to make sure that everybody understands what the concerns

1 are.

2 And my understanding is that there is some higher  
3 level of attention being paid to this right now. So far it  
4 has delayed signing this letter of understanding, and we're  
5 hopeful that this DTV plan in Canada will be modified to  
6 mesh with the intent of Congress in the U.S. for the 60 to  
7 69 band.

8 MR. EIERMAN: Thank you, Bob.

9 This made the Columbus Dispatch about the governor  
10 of Ohio sending a letter to the FCC. It's Friday, May 19,  
11 2000, Columbus Dispatch, so it's an important issue.

12 A couple more comments about the bi-annual review.  
13 Again, that was a multimedia document OO-39. The comments  
14 were due May 17th but the reply comments aren't due until  
15 June 16th. So if anybody wants to send in reply comments,  
16 there is still opportunity to do that.

17 One of the issues in that bi-annual review, or one  
18 of the questions was asked is should there be a mandatory  
19 date by which the broadcasters must elect which of their two  
20 allotments, their old analog or their new DTV allotment,  
21 they are going to give up, and you know, keep the other

1 allotment.

2           So right now until they -- you know, until 2006,  
3 when they have to turn their analog TV transmitter off, they  
4 don't have to make a decision about which station they are  
5 going to keep on the air and which one they are going to  
6 relinquish.

7           So you know, one of the suggestions was that by  
8 2004, basically, when they have got to be fully simulcasting  
9 in the analog and digital modes on both stations, that they  
10 need to decide which of those two stations they are going to  
11 relinquish. And the issue is here the people on Channel 60  
12 through 69 have no idea of where open slots are until the  
13 people below Channel 60 decide which channels they are going  
14 to give up so you know which slots are available for those  
15 people to move into.

16           So I implore you to file some comments on that  
17 question, reply comments.

18           The other thing is this document that I handed out  
19 today in the back that says "Working Group 3 Guidelines,"  
20 and it was Appendix M, Ted gave me a number. Where it says  
21 IM-00020 now, change that to IM-00022, and the rest of it,

1     you know, 2000--0602 remains the same. And cross out  
2     Appendix M and label it Document D as in "David" dash 003.

3             And that's the end of my report. I don't know.  
4     Are there any, any additional questions on the DTV  
5     transition.

6             Oh, Mr. Buchanan.

7             MR. BUCHANAN: You talked about Canada but you  
8     didn't talk about Mexico.

9             MR. EIERMAN: Okay. Mexico -- you're right, I did  
10    not. There has been a more recent -- I don't want to say  
11    treaty, or some agreement with Mexico on what stations are  
12    going to be utilized in Mexico versus United States.

13            If you follow the tables, I don't think there is  
14    but one or two Mexican DTV stations allotted for this whole  
15    piece of spectrum, and there may -- I'd have to look at it.

16    There may only be like one that even affects the U.S.  
17    Mexican border.

18            Now, you know, when I go to the media web sites in  
19    Mexico to find out what stations are actually transmitting,  
20    what appears in the U.S. Table of Allotments is slightly  
21    different than what's actually on the air. So I think there

1 is something like three or four stations that may have to be  
2 considered, but I haven't been able to track down what their  
3 power are and if there is any terrain blockage preventing  
4 them from coming in the U.S.

5 If I remember, a couple of them, they are along  
6 the Texas border, and I think there may be one along the  
7 California border. I don't know.

8 When I was out at your meeting when I did these  
9 overheads, I don't remember if I had the Mexican station on  
10 there or not.

11 MR. BUCHANAN: No.

12 MR. EIERMAN: I'll have to go back and check.

13 MR. BUCHANAN: No, you didn't.

14 MR. EIERMAN: Okay, I'll look at the Mexican  
15 station again. I probably didn't because it probably was  
16 not one that affected California.

17 MR. BUCHANAN: Okay, thank you.

18 MR. EIERMAN: I do have that information.

19 MR. BUCHANAN: I don't think I identified myself.

20 Dave Buchanan, County of San Bernadino.

21 MR. EIERMAN: Yeah, I do have -- try and keep up



1 to date on the FCC database changes. The FCC changed the  
2 way they do the database and instead of being 15,000 lines  
3 long it's now 400,000 lines long, and luckily there is a  
4 person out in the industry, Doug Long from Telemundo, who  
5 publishes a web magazine, [www.transmitter.com](http://www.transmitter.com), and he  
6 publishes about once a month.

7 He converts that big database into an XL  
8 spreadsheet that at least has all the TV stations'  
9 coordinates, antenna heights, powers. So I keep up to date  
10 on that. I try and keep up to date on what the industry in  
11 Canada does once a month, and the Mexican agreement hasn't  
12 changed but again, I actually try and go monitor what's  
13 actually on the air in Mexico versus what the databases say.

14 So you know, if any of you need the information, I  
15 can give you the information, or you know, most of it in XL  
16 spreadsheet formats.

17 Any other DTV questions? If not, I'll hand it  
18 back to Ted.

19 MR. DEMPSEY: Okay. Thank you, Dave.

20 Fred, you have a couple items I know you want to  
21 discuss.

1           MR. GRIFFIN: Since the last meeting there has  
2 only been two activities. One is formal and one is  
3 informal.

4           We've had a request that the page 70 of "Radio  
5 Resource" magazine, which is the announcement that New  
6 Jersey agency wanted TETRE to be entered into the record of  
7 this group, subgroup. I talked to Ted Dempsey here and what  
8 I'm going to do when I get through talking is give a copy of  
9 this to Michael Wilhelm and it will be an attachment to the  
10 subcommittee minutes of this meeting. It may or may not go  
11 further up the chain, like in the Reporter in the Docket,  
12 but I'm been asked to put in the record. I'm just going to  
13 put in the record and I'm not going to comment on it or  
14 discussion. That's the formal part of what's went on since  
15 the last meeting.

16           Does anybody want to say anything on that before I  
17 change subjects?

18           The second is informal activities, and it all  
19 happened at the PSWN meeting about two weeks ago in St.  
20 Louis. There was a presentation and it had to do with the  
21 papal visit by the Missouri State Police representative, and

1 they had the issue of why can't we talk, almost like the  
2 video. And so they did everything.

3 And one thing that happened out there is they went  
4 to the PCS carriers in the area and they set a deal up which  
5 I found was very innovative. Under certain designated  
6 numbers or group of people, anybody that was a PCS  
7 subscriber no matter what the company was -- apparently at  
8 the time that the papal plane landed their PCS phone,  
9 instead of saying "ATT" or "Brand X," it switched and said  
10 "Private." And at that time everybody that had the PCS  
11 phone could do whatever was prearranged, and I don't know  
12 whether it was group dispatch or group dialing or whatever.  
13 They didn't go into the details of that.

14 And about two or three minutes after the papal  
15 plane left all the phones went back.

16 It was apparently a very simple switching thing  
17 that the PCS carriers did. Rick Murphy, who is on the  
18 steering committee for us, hosted that meeting. I just  
19 share that with you. It might be nice to have an informal  
20 presentation on it for whatever value. That's just Fred  
21 Griffin's thoughts.

1           And as it was presented, it was a no cost deal,  
2   which probably would fit in most peoples' budget. It was  
3   just switching option, cost absorbed by the subscribers.

4           The other thing of significance that happened from  
5   the program is that Don from NTIA advised the group that a  
6   document has already been prepared and it's being  
7   coordinated between the FCC and NTIA on the subject of --  
8   and I may have the wrong acronym -- CPAS, which is probably  
9   access to the cellular system, which has been asked for  
10   about two years by the public safety community.

11           Apparently there is a formal docket coming out  
12   within 60 days. He was not at liberty, he did not take any  
13   questions or what the contents of it is, and he did not  
14   identify what it will be, you know, whether it's a request  
15   for information, notice of proposed rulemaking or whatever.

16   All he did was advise the group that in the near future  
17   there is a document coming out of the FCC on the subject of  
18   CPAS.

19           What that triggered after that announcement from  
20   the stage, and this is coffee club, hallway and bar  
21   conversation and people who are involved in this, that they

1 thought that there was maybe some commonality, at least some  
2 common discussion on it ought to be happening in this group  
3 on three, what people perceive as relator interconnected  
4 subject and documents.

5           One is the software controlled radio. This  
6 activity in the forthcoming CPAS. And so at this time I  
7 will suggest to Ted Dempsey that after this CPAS docket  
8 comes out he ought to review it and decide whether he wants  
9 to put it on the agenda, whether he wants to discuss it,  
10 whether he wants to kick it to interoperability or what, and  
11 that's just my thoughts. Nobody asked me to do it. But  
12 there was three specific individuals talked to me on the  
13 subject.

14           And that's all I've got to say. I'll take any  
15 questions. If not, I'm going to pass the microphone back to  
16 Ted.

17           MR. DEMPSEY: Okay. Thanks, Fred.

18           I want to turn it over to Tom Tolman who will give  
19 the funding work group report.

20           MR. TOLMAN: Okay, thank you, Ted. Is this on?

21           I guess we've got two parts -- well, you see five

1 and six, but Ted says to strike that. We'll combine it,  
2 call it under one component here.

3 When we last talked and last met, we talked about  
4 taking a two-prong approach, and that's still the process  
5 that we're doing. When I say "two-prong," we are talking  
6 about first looking at the immediate short-term needs, that  
7 is, what are the start-up costs for regional planning that  
8 will be necessary.

9 We performed some key interviews with some candid  
10 individuals, and have narrowed down the reasoning. That's  
11 what we were -- that's that first phase that we had to in  
12 order to quantify, get quantification on this, we had to  
13 identify key issues. And this is -- I'll just read off a  
14 few bullets here. And if anybody has comments to add to  
15 this, please come to the microphone on this.

16 Lack of interest: This is based on research that  
17 we could work on to improve upon the NPSTC process. Lack of  
18 interest due to not being able to inform various services in  
19 a timely manner.

20 Number two, lack of support from agencies to send  
21 representatives to meetings.

1           Third, it was revealed difficulty in finding  
2 people to work under preparing a plan.

3           Next was no uniform methodology for preparing  
4 plans, and then also it was also revealed, lack of funding  
5 to prepare and print and distribution regional plans.

6           Working off that benchmark, I can say that NIJ is  
7 preparing to be in a position -- I don't -- I'm not prepared  
8 to make a formal response with amounts or anything like that  
9 today. However, at the next meeting I believe we can,  
10 putting on the NIJ hat for a minute here, we can -- NIJ Is  
11 preparing to have a response for the short term, that is, to  
12 be able to respond to some form of funding in the short term  
13 for start-up costs.

14           The other part of it is -- of this working group  
15 is what can we do to go after the larger amounts, and the  
16 working group has put together a draft -- well, the draft  
17 report on funding mechanisms was essentially the --  
18 primarily the work of the PSWN group. There is two  
19 documents that they had out, a lot of work that they had  
20 done, good work that they had done.

21           And so for the larger picture, we're utilizing

1     this draft report as a benchmark to be able to identify what  
2     is out there, what is available right now.

3                 I know that's rather sketchy but that's what we  
4     have right now.  Again, at the next meeting we will have  
5     handouts and be able to have a more formal response on the  
6     NIJ side.

7                 MR. DEMPSEY:  All right.  Thanks, Tom.  It sounds  
8     promising.

9                 We have also had discussions amongst the  
10    subcommittee regarding the use of the NIJ database during  
11    precoordination process, and what we think we have agreed  
12    upon is that we're going to do a frequency presort to  
13    address the issues of the borders along the adjacent  
14    regions, and to handle the intricacies of regions that  
15    encompass multiple state areas.

16                And we based the discussion on some incidents that  
17    have happened in the past during the NPSTC process, and as  
18    well as things that could happen in the future where large  
19    entities, such as New York City, could be first in and  
20    capture as many frequencies as possible, therefore closing  
21    out some of the border regions from getting any use of the



1 spectrum. We're making it very complex for the regional  
2 planning committees to coordinate the allocation of those  
3 frequencies.

4           So we're suggesting, and Tom has taken us back, is  
5 that we would use the NIJ database to do a -- we call it a  
6 frequency presort that would assist the frequency advisors  
7 in determining what channels would have to be used along the  
8 borders of the adjacent regions, state borders, and I'm  
9 assuming that also will come into play in Canada and Mexico.

10           I don't think that there is any downside to this.

11    It will assist the frequency coordinators in performing  
12 their function without having to worry. And it doesn't  
13 interfere with the general consensus that first come, first  
14 serve will be -- that is the right way to go for the  
15 allotment of frequencies in the individual RPCs. We should  
16 be able to still do the first come, first serve, however  
17 reserving some spectrum along the border areas.

18           We have also recommended that the allotments be  
19 considered in 25 megahertz blocks.

20           MR. EIERMAN: Kiloherertz.

21           MR. DEMPSEY: I'm sorry -- kilohertz blocks.

1 Sorry about that.

2 MR. EIERMAN: We only have 24.

3 (Laughter.)

4 MR. DEMPSEY: In 25 kilohertz blocks, and this  
5 will accommodate existing new technology, future technology,  
6 TDMA, CDMA, and if possible, through the use of some pretty  
7 interesting coordination, and I know I've been through it  
8 because we did that with Channel 16 in New York City, is  
9 also allocating them into 12.5 and six and a quarter if  
10 required by the technology that's being used.

11 I know Dick has some further thoughts on our  
12 precoordination, so I'll hand it off to Dick for a few  
13 minutes.

14 MR. DEMELLO: Well, actually, I thought you  
15 covered it quite well.

16 MR. DEMPSEY: Thank you.

17 MR. DEMELLO: The written document, the draft as  
18 it is now talks about going in one county and the only  
19 thoughts I had regarding that was one county might not be  
20 sufficient. Maybe we need to go in with a minimum distance  
21 of 70 miles, which might involve two counties. So one or

1 more counties with a minimum of 70 miles would, I think, be  
2 the only change I'd like to see.

3 Of course, looking at it from the forestry  
4 association, if the whole state were done, that would be  
5 fine because then if somebody comes in for a frequency we  
6 can give it to them. But anyways, regarding the protection  
7 and the moving ahead of the planning process, I'd be willing  
8 to go along with 70 miles, county or more than one county.

9 MR. SHANAMI: This is Ali Shanami.

10 Is this for the -- this recommendation for  
11 nationwide one-shot allocation?

12 You would pick a proposed or reference  
13 latitude/longitude of each county, maybe county seat for  
14 instance, and do it 70 miles?

15 That's going to be different and may require  
16 change in thoughts of developing a database because then you  
17 have to have a program -- to come up with a program as you  
18 submit your request for database to say look at all the  
19 counties and perhaps county seats, lat/long, or at least  
20 reference lat/long for each county and draw a circle of 70  
21 miles from each point to come up with some kind of

1     preallocation as the first shot.

2             Did I read you right?

3             MR. DEMELLO:   Well, I think you're making it more  
4     complicated than what I was looking at.

5             What I was looking at was going 70 miles into the  
6     adjacent state for protection and some allocation based on  
7     population to the state who had submitted a plan or a region  
8     that had submitted a plan.

9             The center of the coverage, we can look at the  
10    center of the coverage as being the most reasonable and  
11    expeditious way when it gets to the database side.  Maybe we  
12    want to look at the center of the county.  It might be the  
13    easiest way to do it.

14            I don't think I'm really concerned about the  
15    database aspects of it as I am for this committee to put  
16    something out there that says we're looking out for them a  
17    little bit, and we're providing protection; those two  
18    things.

19            MR. BUCHANAN:   Dave Buchanan.

20            Just a question on it.  I like the concept.  But  
21    the way it's written in here, which I like, is that the

1 region should basically get together and figure this out.

2 MR. DEMPSEY: Which document are you referring to?

3 MR. BUCHANAN: Well, the draft outline. There is  
4 preplanning process proposal.

5 MR. DEMPSEY: Okay. I've got it.

6 MR. BUCHANAN: I assume that's the same thing we  
7 are talking about here.

8 MR. DEMPSEY: That's right.

9 MR. BUCHANAN: The only thing that I'm wondering  
10 about is if you have a region that's ready to go and do all  
11 this but your adjacent region hasn't started up for some  
12 reason, we need some mechanism to handle that. If you don't  
13 have anybody to talk to, you can't work it out. Maybe it  
14 would just be a population thing or something.

15 MR. DEMELLO: Population is what I'm -- what I was  
16 mentioning.

17 MR. BUCHANAN: What you are going to propose?

18 MR. DEMELLO: Yeah.

19 MR. BUCHANAN: Okay.

20 MR. DEMELLO: Yeah.

21 MR. BUCHANAN: So basically you're going to

1     rewrite this to include that then?  Is that what I am  
2     understanding?

3             MR. DEMELLO:  That's correct.

4             MR. BUCHANAN:  Okay, great.  Thank you.

5             MR. MCDOLE:  Art McDole.

6             I have two questions related to almost the same  
7     thing.

8             First, the 25 kilohertz block conceptually is  
9     great because we want to allow flexibility in choice of  
10    technologies, but conversely, has any thought been given if  
11    people opts for technology which doesn't require 25  
12    kilohertz, it kind of has a negative impact on the radius of  
13    those channels because they cannot be used in an FDMA.  The  
14    adjacent channels are more or less wasted.

15            How can we handle that situation?  Does anyone  
16    have any solutions to that?

17            MR. EIERMAN:  Yeah.  David Eierman, Motorola.

18            We had some discussion about this and, you know,  
19    if a county decides not to use the full block, you know, or  
20    whatever, the size of the usable block, they've got to go  
21    through the RPC process to get it approved anyway, so they

1 are going to identify what part of that channel they are not  
2 going to use.

3 Let's say they are going to use 12.5. Well, they  
4 are going to, you know, get reallocated to either the upper  
5 or lower half, and which means they are going to relinquish  
6 the other half, which goes back into basically the pool back  
7 into the database.

8 So, yeah, there may be some horse trading that has  
9 to be done so that, you know, if they give up 12.5  
10 kilohertz, they may need to trade that 12.5 with another  
11 county so they can still use -- you know, they still got 25  
12 kilohertz, but it's all, you know, as they go through this  
13 process of getting the approvals, finally get a license,  
14 they have got to back through the RPC with their engineering  
15 analysis anyway.

16 So I think the checks and balances are there to  
17 not let that become an orphan, if that's your concern.

18 MR. MCDOLE: Yes. Yeah, and I think it's  
19 imperative that the plans be flexible enough to allow that  
20 horse trading, to use your term, without going back to the  
21 Commission for approval and that sort of thing. If it could

1 be handled within the committees, we could make the best use  
2 of it.

3 MR. EIERMAN: Yeah, I guess the suggestion is we  
4 need probably make either a comment probably in this  
5 guideline document about that, and, you know, that that was  
6 our intent of how this would be handled.

7 MR. MCDOLE: Great.

8 MR. EIERMAN: We'll add some verbiage in there.

9 MR. MCDOLE: That was my primary concern, and I'll  
10 defer to Dave's remarks on the other issue. I was concerned  
11 about leaving some orphans out there with those 25 kilohertz  
12 box. We need to use all the spectrum we can.

13 Thank you.

14 MR. WELLS: Carlton Wells, State of Florida.

15 What we are touching on now, I think, is the  
16 potentially or imminent complications with allotting these  
17 channels in each region where you utilize a 25 kilohertz  
18 bandwidth or 12.5 or six and a quarter bandwidths. All that  
19 impacts how the frequencies will be preallotted.

20 Do you -- by giving them 25 kilohertz bandwidth,  
21 does that cause or count as four channels to the agency?



1     Therefore, if they only intend to use the technology for  
2     12.5 kilohertz, they can't use the other 12.5. But if that  
3     was the four that they got, will they get another 12.5 some  
4     place else?

5             Or do they come in with a request for four  
6     channels, you give them four 25 kilohertz channels, but they  
7     are only using 12.5 kilohertz bandwidths when they actually  
8     come in for licensing. You've actually allotted 50 percent  
9     more spectrum than what they actually needed.

10            So here are some of the complications in the  
11     preallotment. If you want to get all input from the  
12     potential licensees, you stand to get a little more accuracy  
13     in the preallotment rather than just putting out 25  
14     kilohertz per population, and then horse trading later with  
15     the potential that some of those 12.5 or six and a quarter  
16     kilohertz channels may not get used because they are  
17     adjacent to the neighboring agency and they just fall out  
18     due to lack of ability to coordinate that channel anywhere  
19     without some kind of adjacent interference.

20            MR. DEMPSEY: Well, when we refer to 25 kilohertz,  
21     we're referring to them as blocks and not as channels

1 specifically because we don't want to give the impression  
2 that we're going to allocate this or -- we're not going to  
3 allocate it, but we're not going to sort it in these blocks  
4 as a channel. It's just a block and it's going to make it  
5 easier.

6           And I can say from experience when we did our  
7 Channel 16 frequency sort we originally started in six and a  
8 quarter blocks and used them in aggregate blocks, depending  
9 on how you -- how you apply to the NIMAC group for your  
10 allocations. There were some agencies that were using 12.5,  
11 some agencies, like my agency which used 25 kilohertz.

12           Just from experience we reshuffled that database  
13 probably about 100 times, maybe more.

14           So your concern about filling the database with  
15 apparent licenses or plans, it's a valid one but it's not  
16 going to make that much of a difference. It's not going to  
17 slow down or stop the horse trading because as you're moving  
18 along your agency is going to say, well, gee, my original  
19 plan is I'd like to use 12.5, and then the next vendor comes  
20 in and says I've got this better system, it's 25 kilohertz,  
21 and you're going to get four channels or you're going to get

1 eight. And well, you know, I changed my mind. I now no  
2 longer want 12.5 channels. I would like a 25 kilohertz  
3 channel, and then I'm going to do that. Well, we have to  
4 move you someplace else in the spectrum.

5 So it's not going to change much. It's not going  
6 to help. This is personal opinion again. And I think the  
7 way we are approaching it --

8 MR. DEMELLO: I believe that.

9 MR. DEMPSEY: The way we are approaching it is  
10 that it's a block just for the -- of course, I had a catchy  
11 phrase for it yesterday.

12 MR. EIERMAN: Yeah, I think it's sort of a  
13 blocking.

14 MR. DEMPSEY: I can't find it.

15 MR. EIERMAN: Carlton's question was sort of what  
16 if you have actual requests.

17 MR. DEMPSEY: Yeah.

18 MR. EIERMAN: You know, you got people knowing  
19 what spectrum and how wide they need it versus our concern  
20 is we're going in the blind initially knowing nothing. So  
21 if you are going in the blind, I think the least common

1 denominator here is the widest block.

2           And then, yes, if you have real actual inputs that  
3 know they are only going to use 12.5 or something, yes,  
4 those can be taken into consideration.

5           MR. DEMPSEY: Yeah, we're looking at this as -- we  
6 called it an availability presort, and that's really just to  
7 assist. And if we decide to do it nationally, that's okay  
8 too, but our primary concern is the border areas that may --  
9 and I think someone had mentioned to me there was a problem  
10 in Missouri where they kind of didn't pay attention to what  
11 was going on, and all of the border states filled up their  
12 baskets with spectrum. And then when Missouri came around  
13 and said it's time for us to get some channels, they looked  
14 around and they said, geeze, we can't use any of this stuff  
15 because all the border states have it.

16           So that was one of the main concerns. We were  
17 very careful to make sure that at least something is in the  
18 initial database so that spectrum hogs, like New York City,  
19 myself, don't come along and request 200 channels at 25  
20 kilohertz and there is nothing left for Bergen, Nassau,  
21 Westchester and all the other areas.

1 MR. SCHLIEMAN: Robert Schlieman, New York State.

2 I just wanted to ask a question about one area  
3 here in the IM-00020 document.

4 On page 7, the top paragraph, it ends, "not the  
5 I/O frequencies".

6 THE AUDIENCE: What's the title of that?

7 MR. SCHLIEMAN: Guidelines for 764, et cetera.

8 MR. EIERMAN: He's in the guidelines document,  
9 page 7, top of the page.

10 THE AUDIENCE: Got it.

11 MR. SCHLIEMAN: And is the inference that the  
12 interrupt channels would be -- because of a statement  
13 earlier in here about a region having the right to add  
14 additional interop channels -- is the inference in this  
15 paragraph on page 7 that those are the I/O channels that you  
16 are discussing that would not be applicable to the 25  
17 kilohertz blocks, or otherwise, why is that not the I/O  
18 frequencies even in that paragraph since I/O frequencies,  
19 the national I/O frequencies are not subject to sorting?

20 MR. DEMPSEY: I think that's what we meant.

21 MR. EIERMAN: Yeah, I mean if it's confusing, I

1 think it would be easier to strike it out because I think  
2 the intent here was to say this has nothing to do with the  
3 FCC-defined I/O channels. I mean, you know, it probably  
4 says general use. Well, in the future when reserve or  
5 release that's going to probably apply -- well, I don't know  
6 if applies to reserve or not. That's even a different  
7 question.

8 Are we going to presort the reserves, or are they  
9 just a big pot that gets used some time in the future, I  
10 guess.

11 MR. SCHLIEMAN: Well, I guess we won't know the  
12 answer to that until the Commission decides what they are  
13 doing with the reserve channels because there have been  
14 different suggestions on how they would be made available.

15 Can I suggest then that we just end that paragraph  
16 with a period after "general release channels"?

17 MR. EIERMAN: Okay. Not the I/O channels.

18 MR. SCHLIEMAN: Yeah. Okay, thanks.

19 MR. EIERMAN: Our secretary has struck it.

20 MR. MCDOLE: Just a couple other minor issues.

21 Art McDole.

1           I have no problem with Dick DeMello's 70 miles  
2   with one caveat. As you know, we need to take, just as we  
3   do with the TV stations, into account geographical  
4   protection. For example, between Nevada and California we  
5   have some 14,000-foot mountains which offer fairly good  
6   radius potential on either side.

7           And I would urge that the wording allow field  
8   strength or some other means of bypassing the 70-mile  
9   requirement because of geographical protection.

10          The second issue, we had quite a discussion  
11   yesterday on item six in this document, which relates to the  
12   mandatory state executive committee, and I would suggest you  
13   are going to need some rewording there to take care of the  
14   discussion a bit.

15          MR. DEMELLO: What document?

16          MR. MCDOLE: Well, that's the same document.

17          MR. DEMELLO: We're in the guidelines.

18          MR. MCDOLE: The guidelines document.

19          MR. EIERMAN: What page?

20          MR. MCDOLE: Page --

21          THE AUDIENCE: Page 4.

1           MR. EIERMAN: Page 4, item six?

2           MR. MCDOLE: Yeah, page 4, bottom of page 4, item

3 six.

4           MR. DEMPSEY: Just so you know we are following

5 the lead of the interop.

6           MR. MCDOLE: Right.

7           MR. DEMPSEY: So as your document changes, so will

8 ours.

9           MR. MCDOLE: Right.

10          MR. DEMPSEY: We're just basically taking --

11          MR. MCDOLE: You could work with that committee,

12 and it was pretty well hashed out here yesterday and reached

13 a consensus, which is different than what is listed here.

14          MR. DEMPSEY: Right. We're just going to take it

15 from --

16          MR. MCDOLE: I just brought that up as an issue

17 that you might want to make a note on.

18          MR. DEMPSEY: And someone had asked earlier on,

19 there is a statement in our item six, this section is

20 mandatory, and it's in the guidelines to say that the

21 section, whatever it is that the interoperability



1 subcommittee decides upon, and will give us the wording,  
2 just the section is mandatory, not the wording.

3 So I just wanted to clarify that, you know, when  
4 they do prepare their regional plan, they have to have the  
5 section on interoperability in there, but not -- it wasn't  
6 meant to infer that --

7 MR. MCDOLE: That everything that was said in the  
8 section is mandatory, which it does seem to give that  
9 inference.

10 MR. DEMPSEY: Yeah, it does give that impression.  
11 thank you.

12 THE AUDIENCE: This category is mandatory.

13 MR. DEMPSEY: Yeah, and we'll reword that.

14 Norm?

15 MR. COLTRI: Good morning, Norm Coltri, RCC  
16 Consultants.

17 I have a little concern about the presorting and I  
18 would just like to air some concerns that I have about it.

19 There is a very fine line between presorting and  
20 warehousing of frequencies, and I think we have to be very  
21 cognization of that line. One of the examples that was

1 given was that if New York City were to come in and license  
2 all the frequencies, then there would be nothing left for  
3 the other towns in New Jersey that may be bordering.

4 Another example was given of Missouri who came in at the end  
5 of the planning process and said, okay, we're ready to build  
6 now, there were no frequencies left.

7           How long would you expect the presorting to be in  
8 effect? How long will those pools be active? Will there be  
9 a certain time line where the pools will be dropped?

10           My concern is we don't want to hold frequencies  
11 for an agency or a county that may never apply while we have  
12 their adjacent county is building out a system and they  
13 don't have enough spectrum to do it and we say, oh, no, we  
14 can't pool channels from our neighboring county because they  
15 are held in reserve in case some day they may ever decided  
16 to build a system.

17           So I think there has to be some -- there may be  
18 the need to have it reserved for a period of time, but I  
19 think after a period of time the walls should drop down and  
20 everything becomes open access or some other way of making  
21 sure that we don't earmark frequencies for a potential use

1   that may or may not come, or may come late in the process  
2   while we have other agencies that are building systems today  
3   and have funding, but they can't have enough spectrum to  
4   build out what they are looking for. So I just wanted to  
5   raise that concern.

6               MR. DEMPSEY: We have some language, and as soon  
7   as I find it I will bring it here. But we had two major  
8   concerns. One is that we don't want to give the impression  
9   that we are going to allocate, allot, assign, preassign  
10   frequencies to counties. We are going to use counties as a  
11   geographical area, something we can get our arms around.  
12   That's our intent of using the word "county" or "counties",  
13   just as a marker for population and for border issues.

14              We do not intend, it's not our intention to allot  
15   to counties and then let the frequencies sit there, and as  
16   you've mentioned, never be used if they decide not to build  
17   a system. They will just be available in that geographical  
18   area, and it could be, and these are just thoughts, that a  
19   particular region may want to create a sub-region or a  
20   grouping of counties or somewhat to say that these  
21   particular frequencies are held in this area so that we can

1 deal with the border issues of New York, New Jersey or  
2 whatever.

3 Did you get the language?

4 MR. EIERMAN: That's the one you're talking about?

5 MR. DEMPSEY: No, there is two. There is another,  
6 we have language in here and I think we -- we just kind of  
7 put it up for comment, and we did -- if I can find it -- we  
8 did suggest a time limit that if they haven't built.  
9 Remember that one?

10 MR. EIERMAN: No.

11 MR. DEMPSEY: If they haven't licensed -- as soon  
12 as I find it. And we also -- to take into consideration, we  
13 also put language in that would require the 700 RPCs to find  
14 out if any 821s were allocated. If there are still 821s  
15 available, they would have to use those 821s before they  
16 would start moving into the 700s.

17 Well, there is language in here. And if there  
18 isn't, there will be --

19 THE AUDIENCE: Item one, the last paragraph.

20 MR. DEMPSEY: I'm sorry? Item one?

21 Yeah, here it is.

1                   MR. EIERMAN: Oh, yeah.

2                   MR. DEMPSEY: Yeah, and the language reads so far  
3 as, "NCC could recommend a deadline when all the plans must  
4 be written, three or five years. If a region is not formed  
5 or has not written a regional plan by that time," okay, this  
6 just refers to the plans.

7                   We had a discussion on the -- maybe we didn't get  
8 it in on time, but we've had discussions on if the channels  
9 haven't been allocated or licensed, then there would be a  
10 time limit. And we're looking for suggestions on what the  
11 time limit should be based on experience, but I particularly  
12 feel that, you know, between five and seven years. If you  
13 haven't licensed them at that point, then I don't think  
14 there is going to be very much chance that you're going to  
15 be needing them in the immediate future.

16                   But if anyone has got suggestions on times, please  
17 feel free.

18                   MR. SCHLIEMAN: Robert Schlieman, New York State.

19                   I would, with respect to that comment that the  
20 slow growth interval is five years. In the initial  
21 implementation there is going to be some time delay because

1 equipment isn't ready. The plans will be out before the  
2 equipment is out. So you might want to allow  
3 reconsideration by the regional planning committee of any  
4 pool allotment or pool allotments on some basis not to  
5 exceed that.

6 I think it would be appropriate to have notice of  
7 review of these pool allotments made also to the adjoining  
8 regions so they can attend the meeting and discuss their  
9 concerns.

10 On the 70-mile issue versus one county or multiple  
11 counties, there are a number of factors that come into play  
12 here and I think the goal might be to -- all things being  
13 equal, I say that in terms of population density in those  
14 areas, to consider requiring 50 percent spectrum sharing  
15 along the borders.

16 I say 50 percent because if the population density  
17 is equal, then when you do your coverage and reuse planning  
18 for use of frequencies you can readily anticipate where  
19 those frequencies can be reused again, and allow for  
20 channels to be used by the adjoining region.

21 The other point that I think is very critical at

1 the regional planning level, the efficiency with which an  
2 applicant operates is quite significant and, yes, it has a  
3 value in a competitive application evaluation process, and  
4 is in there for that reason.

5 But if there was no competition, what would the  
6 impact be if they were not spectrally efficient? It would  
7 be disastrous as far as any future growth or any use by an  
8 adjoining regions, or could be disastrous, let's put it that  
9 way. And there is quite a range of spectral efficiencies  
10 based on the matrix of six and a quarter FDMA, 12.5 FDMA,  
11 12.5 two-slot TDMA and 25 kilohertz four-slot TDMA,  
12 multicast, multisite versus simulcast. And the amount of  
13 traffic load that you can accommodate within a region  
14 looking at it as a whole is dramatically different in some  
15 cases, depending on the choices that are made.

16 So I suggest that there be some language in there  
17 that requires spectral efficiency since we recognize that 24  
18 megahertz is not enough. I think it has been noted that the  
19 number of channels at 12.5 kilohertz is not much different  
20 than what we've got in NPSTC.

21 So we need to -- we need to consider that in the

1 implementation subcommittee, how spectrally inefficient we  
2 can allow a system to be when it doesn't have any  
3 competition at the moment of the application.

4 MR. MCDOLE: Art McDole.

5 If I could just amplify a little bit on what Bob  
6 presented too.

7 The parameters for judging spectrum efficiency are  
8 very difficult. I have had problems in the past, although  
9 the Commission did allow to put a flat trunking requirement  
10 after so many channels. And if we -- to even attempt to use  
11 that we must identify the channel width we are talking  
12 about. Certainly six and a quarter channels requiring  
13 trunking after you have four of such of these; one of your  
14 25 kilohertz blocks that make a whole lot of sense.

15 So we will have to look at the way you judge  
16 spectrum efficiency. Whether you can describe it in your  
17 document or not, but let's not lock ourselves in with some  
18 arbitrary factors that are hard to live with.

19 Thank you.

20 MR. DEMPSEY: Ali?

21 MR. SHANAMI: This is Ali Shanami again.



1           In reference to the guidelines document,  
2 specifically frequency coordination.

3           THE AUDIENCE: One more time.

4           MR. SHANAMI: I'm sorry.

5           In reference to frequency coordination part of the  
6 guidelines document --

7           THE AUDIENCE: Which paragraph?

8           MR. SHANAMI: Actually, the subject itself, which  
9 I'm going to bring it to as part of the regional planning,  
10 and the flow chart that is there, it's basically what NPSTC  
11 and four public safety coordinators agreed.

12           The only thing I'm not sure -- the regions are  
13 aware or the coordinators know as part of the flow chart and  
14 the database development, the actual, the difference between  
15 this flow chart versus existing NPSTC is the actual  
16 frequency coordination and engineering/contour analysis.  
17 Any kind will be done by the frequency coordinators, and I'm  
18 not sure if it's on a volunteer basis by the regions or not.

19          But the way it's -- that is, by the coordinators because  
20 then we have four coordinators now.

21           The other thing is for interference is exactly

1    what it is, TIA, and I had conversation with the Chairman  
2    Bernie, which I'm also involved in that group.  What I did  
3    bring, Ted, I can bring it, and if you want you can  
4    introduce it as part of the minutes, the excerpts which is  
5    two appendices, A and C.  These two are the meat of the  
6    entire document.  The document is extremely large and thick,  
7    and very technically complex.  So if you just want to take  
8    what items pertain to what we are trying to refer to would  
9    be the two appendices which I brought, and I can bring it to  
10   you, Ted, as part of the group.

11           MR. DEMPSEY:  Is this what you -- you sent me this  
12   in e-mail, right?

13           MR. SHANAMI:  Oh, yeah, I did.  Okay.  Well, he's  
14   got it already.

15           MR. DEMPSEY:  I actually read it.

16           MR. SHANAMI:  Great job.  Thank you.

17           That's basically two items as far as the  
18   coordinations and the regions are concerned.

19           On a personal note, I'm still -- I really want us  
20   to have as detailed language as we can about regions that  
21   are ready to go versus adjacent regions are not ready to go

1 and will stay around for a long time, and I speak that from  
2 experience, and people like Dave Buchanan, which is ready to  
3 go yesterday, if he can go -- give him flexibility without  
4 holding him versus adjacent regions. That's -- I know it's  
5 extremely important even now with some of the regions  
6 haven't even touched the 821 channels.

7 Thank you.

8 MR. MCDOLE: Art McDole.

9 May I ask Ali, is the Appendix 1, coordination  
10 flow chart, the one that you were referring to as you made  
11 those statements?

12 MR. SHANAMI: Yes.

13 MR. MCDOLE: I see nothing in there that says who  
14 does the contours and engineering. It appears to be  
15 permissive that the coordinator does review and approve  
16 them. It does not indicate that they cannot be done prior  
17 by someone else. It's either way, it looks like, the flow  
18 chart is permissive in that regard.

19 Am I reading it wrong?

20 MR. SHANAMI: What I also should have said as  
21 follow-up to that. This is Ali again.

1           As part of the database development, the detailed  
2 version of that, it's more detail where it says who is going  
3 to do what.

4           MR. MCDOLE: So that will be --

5           MR. SHANAMI: What I would do in this group, my  
6 personal recommendation, if it's important to you, you may  
7 want to just say the region should have the options, that's  
8 all. If that's important to you, the regions should have  
9 the options to do that if you think you need to say that.  
10 If you don't think you need to say that, then don't worry  
11 about it.

12          MR. MCDOLE: It would appear to me that the  
13 flexibility that are given to regional planners would allow  
14 that unless it specifically states otherwise somewhere. And  
15 if this flow chart is the only place that that shows, I  
16 don't have any problem with it at all.

17          MR. DEMPSEY: Does anyone disagree?

18          MR. DEMELLO: That's fine.

19          I think there might be a timing process that we're  
20 not transmitting correctly regarding submission of plan  
21 because Mr. Buchanan is ready to go yesterday. The way I

1    see the adjacent area being considered would be done at the  
2    time that his plan is submitted.  So he's not held up.  It  
3    may be a good idea to have some communications with that  
4    state to let them know it's happening or try to find out  
5    what that state is doing.  But in any case it should not be  
6    -- he shouldn't be held up because of someone else.

7               MR. DEMPSEY:  I think we may want to put some  
8    language in the guidelines that require at least some  
9    contact with the adjacent state or adjacent region, and in  
10   the guidelines.  I know they don't require it, but they have  
11   to do it.  But something that at least puts that position  
12   into -- because it's probably not in the guidelines.

13              MR. EIERMAN:  It is.

14              MR. DEMPSEY:  Oh, it is?

15              MR. EIERMAN:  I think it is.

16              MR. DEMPSEY:  Okay.  All right.  I stand corrected  
17   then.

18              MR. EIERMAN:  No, I think it in it.  I read it  
19   last night.

20              MR. DEMPSEY:  Okay.

21              MR. EIERMAN:  I'm positive it's in there.

1           MR. DEMPSEY: But there is no intention for, you  
2 know, anyone holding up a region that's ready to go.

3           MR. SHANAMI: Just a follow-up, if you don't mind.  
4 This is Ali Shanami again.

5           The language is there but it says "would contact  
6 adjacent region to negotiate," right? Is that what you --

7           MR. DEMPSEY: Yeah, I think we just have to make  
8 it a little stronger.

9           MR. SHANAMI: Yeah, what happen if -- well, I  
10 think Dave was saying, and I totally agree, what happen if  
11 there is nobody there yet?

12          MR. DEMPSEY: Well, we have language that  
13 addresses that. That if the region isn't there, that that's  
14 either going to be eventually coordinated by the frequency  
15 advisors if there is an inactive region.

16          But I think we're talking more that the region is  
17 going to be active but they just haven't gotten their plan  
18 together versus Dave, who might have his plan ready to go.  
19 So I think it's the in between guy who there is a need for  
20 spectrum. But maybe he hasn't been able to get it -- you  
21 know, get their act together as quickly as Dave.

1 MR. SORLEY: Earlier Art mentioned that --

2 MR. WILHELM: Would you identify yourself?

3 MR. SORLEY: Tom Sorley from the Florida Chapter  
4 of APCO.

5 Earlier Art mentioned that in the guidelines your  
6 item number six for the interoperability executive  
7 committee, the language needed to be changed.

8 So I just want to point out in the draft outline  
9 document for the plan, I have a couple of other issues with  
10 the item number six, specifically again with the state  
11 interoperability executive committees.

12 On page 3 of that document, the third paragraph,  
13 it says that the -- excuse me, the fourth paragraph says,  
14 "The RPC shall request the individual states to hold  
15 licenses for all infrastructure and subscriber units within  
16 their state. In the event the state declines to do so, the  
17 RPC shall request other eligible agencies beginning with the  
18 highest level of government to accept this responsibility."

19 Being from a local agency, I can tell you that I  
20 have a lot of heartburn with a document that reads the state  
21 is going to hold my licenses. I can understand wanting to

1 work that out as a joint agreement with the state maybe from  
2 the locals, but mandating that or suggesting -- the way I  
3 read this it's suggesting that that should be mandated. I  
4 have a real problem with that, so I would like to have some  
5 comments on that.

6 MR. DEMELLO: I can give you a comment from  
7 running a statewide frequency coordination committee for 20  
8 years. Many times I had to send communications out  
9 informing people that we had heard that somebody in the area  
10 was inappropriately using spectrum. And if it wasn't taken  
11 care of, they probably have to cease using it, and solicit  
12 their assistance to get it straightened out. It worked  
13 every time because you ask for their help in straightening  
14 it out instead of telling them you're going to beat them  
15 over the head.

16 But it is a problem, looking at it from the state  
17 planning perspective, having the locals participate  
18 correctly. It's really a tough issue.

19 MR. BUCHANAN: Dave Buchanan.

20 Just to clarify from yesterday at the  
21 interoperability meeting, we did understand that the



1 language we put in there really didn't match our intent.  
2 The intent is to encourage states to do it that way and to  
3 hold the licenses, but obviously if that doesn't meet the  
4 local needs of that region, then they shouldn't be forced  
5 into it.

6 And so we are changing the language in the  
7 interoperability documents to reflect that, and just to make  
8 that clear.

9 And to go along with what you were saying, that's  
10 what we found in California. It helps to have the state  
11 hold the license and administer it, and it just makes -- we  
12 found it makes it cleaner too, but we can also understand  
13 that it doesn't fit for everybody.

14 MR. DEMELLO: It's true. One of the comments -- I  
15 mean, my comment was predicated upon the fact that we had a  
16 committee that had just about every conceivable service  
17 involved in the committee, so we had city managers and fire  
18 chiefs. The fire chiefs kind of disappeared when this  
19 coordination change. But anyways, we had the sheriffs and  
20 chiefs represented from -- representatives from those  
21 organizations, and they were quite helpful sometimes in

1 implementing improvements on the utilization of any of the  
2 channels.

3 MR. SORLEY: Just make one last comment.

4 You indicated in here that the memorandum of  
5 understanding for operating on the interoperability channels  
6 is mandatory, which I agree wholeheartedly with that. So my  
7 assertion is that if I'm coming up to the plate and willing  
8 to sign an MOU, there already is some process, if you will,  
9 for alleviating those problems. So again, I think the  
10 licensing could be done on a local level.

11 Thank you.

12 MR. DEMPSEY: Well, again, I think it's Dave's  
13 intention, and we are getting our direction from the  
14 interoperability subcommittee, and we're not going to --  
15 we're recalling not going to deviate from what they do. But  
16 I think Dave's intention is to encourage the states to take  
17 this, and that's going to have to be -- I think that's going  
18 to have to be some something that's going to work -- has to  
19 be worked out on the regional planning.

20 In New York, the state does take the initiative,  
21 you know, and California and Michigan. I don't know how it

1 works in Florida. But I think that's something that's going  
2 to have to be left to the individual RPCs.

3 Okay, before we close Dave Buchanan has asked me  
4 for some time to go over some of his documents.

5 MR. DEMELLO: So do you want to close first and  
6 then -- okay, sounds good.

7 MR. DEMPSEY: All right. Dave, I think we are  
8 pretty much done so what we do is just close up so have a  
9 seat.

10 MR. BUCHANAN: Okay. Why don't we just take a 15-  
11 minute break then, and back in the back on the table is the  
12 revised documents, agency documents back there. You can  
13 grab them, take a look at them, and basically we just want  
14 to review them and make sure I made the corrections the way  
15 you expected.

16 MR. DEMPSEY: I think we can adjourn and then just  
17 give it over to Dave. So what I would just like to do is  
18 invite anyone, obviously, to place their comments on the  
19 list server if there are any, or send them directly to me if  
20 you would like at Edempsey @ NYPD.org. It's preferable that  
21 we send them to the list server. It makes it easier for me

1 to find them and for everybody else to get them because then  
2 I don't have to distribute them to my group. But either way  
3 is fine.

4 Any business that we would like to discuss?

5 THE AUDIENCE: Have you got a copy of what Ali  
6 sent you so we can include it?

7 MR. DEMPSEY: I'm going to forward everything. I  
8 got it the day before I left, so I just got a chance to read  
9 this. I'm going to forward it, and then we'll send it off  
10 onto the list server.

11 Just for informational purposes, what we intend to  
12 do is hopefully before the end of June have a nice package  
13 put out onto the list server so that everybody can read it  
14 in a nice sync document instead of the bits and pieces that  
15 we've got out there now.

16 Motion to adjourn? Or we had a motion to adjourn.  
17 Dave, thanks.

18 (Whereupon, a recess was taken.)

19 MR. BUCHANAN: If you didn't get it, there is the  
20 user needs document and then the technology issues document  
21 and also everyone was -- there were quite a few people

1 asking for the band plan proposal in color, and it's back  
2 there also on the table.

3 (Pause.)

4 MR. BUCHANAN: Yeah, I apologize. But I don't  
5 have anything better to do today so.

6 (Pause.)

7 MR. BUCHANAN: Anyway, if you have had a chance to  
8 read through it, if anyone has -- thinks I messed up and  
9 didn't get it down right on the revisions, then please come  
10 to the microphone, let us know. If not, we'll just give a  
11 few more minutes here and consider it approved if we don't  
12 have any problems with it.

13 (Pause.)

14 MR. BUCHANAN: Glen, did you need any time to do  
15 your other document again?

16 MR. NASH: I'm getting it printed up.

17 MR. BUCHANAN: Okay. Also, for the technology  
18 subcommittee, Glen has the revised document on the software  
19 defined radio that he's getting printed right now, so that  
20 will be coming in and we will consider that after we're done  
21 with these documents.

1                   You've got it? Okay.

2                   (Pause.)

3                   MR. BUCHANAN: I think everything was okay on the  
4 band plan, but you might just want to review that printout  
5 also just to be certain that we didn't miss anything.

6                   (Pause.)

7                   MR. BUCHANAN: Yes, go ahead, Carlton.

8                   MR. WELLS: Just a little extra word on the band  
9 plan. The text box that is put below the alternate band  
10 plan is there for your information, but the ultimate channel  
11 labeling will be in the Table of Interoperability Channels  
12 that's associated with one of the interoperability documents  
13 distributed before, and those documents are to be modified  
14 also to reflect the different channel numbers now.

15                   (Pause.)

16                   MR. BUCHANAN: Still see people reading so I will  
17 just wait a few more minutes.

18                   (Pause.)

19                   MR. BUCHANAN: Has everyone had enough time to  
20 look it over, or do you want another minute or two?

21                   (Pause.)

1           MR. BUCHANAN: Are there any comments on it?

2           Yeah, go ahead, Bob.

3           MR. SCHLIEMAN: Robert Schlieman.

4           The end of paragraph two, that should be 2.56 bits

5 per second per hertz?

6           MR. BUCHANAN: Is this the user needs? Which one

7 are you on? Here?

8           Oh, okay. He's just pointing out a typo in the

9 second paragraph of the technology issues, so we will get

10 that fixed. Actually, I think I did that all the way

11 through. I left out the "per second." We'll go ahead and

12 fix that.

13           (Pause.)

14           MR. BUCHANAN: Okay, is there any other comments

15 then? Is everyone happy now or is there anything else that

16 didn't look like they got down right?

17           Vendors, are you guys all happy with it? Oh, oh,

18 Bob's not happy.

19           MR. SCHLIEMAN: Robert Schlieman, New York State.

20           The third paragraph in the fourth sentence there

21 is, "No direct mode defined for GSM." I think you want

1 comma, "as required by the user needs," not "has".

2 MR. BUCHANAN: Oh, yeah, you're right. Well, I  
3 feel better. All he's found is typos.

4 Okay, then, can I consider that we have reached  
5 consensus? I'll fix a couple typos and turn this in to the  
6 full NCC committee, the steering committee, this afternoon  
7 at the meeting, and ask them to send it to TIA through Wayne  
8 to get going on it, hopefully.

9 (No response.)

10 MR. BUCHANAN: Okay, I hear no objections, so  
11 that's what we will do. I don't know if Glen got his  
12 document is finished yet, but we do need to go over the  
13 software defined radios real quick, so it may be what, a  
14 couple more minutes?

15 Yeah, if you can stick around just for a few more  
16 minutes, as soon as they finish printing off -- oh, it looks  
17 like -- did you get it?

18 Okay, we are still waiting on the document, so a  
19 few more minutes and then he will do his and then we will be  
20 done until the NCC meeting.

21 MR. WILHELM: Let me make a couple of housekeeping



1 matters.

2 We received yesterday from John Powell a copy of  
3 his final version of the milestones for the interoperability  
4 subcommittee. That document is back on the table.

5 I would like to remind everyone and advise those  
6 who have not been here yet, were not here yesterday, but the  
7 September 14th and 15th meeting of the NCC will be in the  
8 auditorium of the Department of Commerce, which is on 14th  
9 Street and Constitution Avenue. Directions will be posted  
10 on the web site before the meeting.

11 At 11:00, we would like the sponsors, the steering  
12 committee, and the subcommittee chairs to meet at the left-  
13 hand, my left-hand entrance to the Commission meeting room  
14 and we will adjourn to a separate conference room.

15 And Dave, if you haven't announced it, there are  
16 color copies of the frequency chart at the rear of the room.

17 MR. BUCHANAN: Yes, I announced it.

18 MR. WILHELM: Okay, thank you.

19 They are a little easier to understand than the  
20 black and white copies we had yesterday. Bear in mind,  
21 please, that everything is shifted down six and a quarter

1 kilohertz; is that correct?

2 THE AUDIENCE: The I/O channels, yes.

3 MR. WILHELM: Yes, the I/O channels, exactly.

4 (Pause.)

5 MR. NASH: Okay, a revised draft is being handed  
6 out a -- the statement relative to SDR. If you would take a  
7 look at it, and if I might, if we can limit comments to  
8 specific changes.

9 THE AUDIENCE: It's distributed?

10 MR. NASH: It's being distributed.

11 (Pause.)

12 MR. NASH: Do we have any comments?

13 MR. SPEIDEL: Strictly from a -- Steve Beeferman,  
14 Data Radio.

15 Strictly from the viewpoint of style, the last  
16 sentence begins with "Whether," I believe, "Whether this  
17 ultimate implementation" may be best suited to be a new  
18 paragraph. I think the thought process isn't in the front  
19 end in that paragraph part that precedes it talks about the  
20 virtues and then sort of does not highlight it enough.  
21 Probably if that's a separate paragraph leads into the next

1 subject matter would be my suggestion.

2 MR. NASH: Okay. So in what would be the second  
3 paragraph at the end --

4 MR. BEEFERMAN: Should be the introduction to the  
5 next paragraph.

6 MR. NASH: Just split that off as a separate  
7 paragraph on itself?

8 MR. BEEFERMAN: Yes, or use it to lead into the  
9 rest of the text in the next paragraph. It breaks the two  
10 thoughts into one. You know, talks about the virtues of the  
11 radio but then the next paragraph would relate to the issues  
12 at hand.

13 MR. NASH: Yeah, I'm not sure it's directly part  
14 of what would be the next paragraph, but I don't have a  
15 problem making it a separate paragraph.

16 MR. BEEFERMAN: Oh, okay, that's fine.

17 MR. NASH: Yeah.

18 MR. BEEFERMAN: I think people tend to lose, you  
19 know, concentration by the time they get to the end of a  
20 long paragraph and if we --

21 MR. NASH: Yeah.

1 MR. BEEFERMAN: -- want to raise that issue.

2 MR. NASH: That's fine. We'll just make it a  
3 separate paragraph.

4 Bob?

5 MR. SPEIDEL: Glen, I have no problem with it,  
6 just a couple of more grammatical things, and I'm not sure  
7 those are right, but --

8 MR. WILHELM: Bob, would you identify yourself,  
9 please?

10 MR. SPEIDEL: Oh, I'm sorry. It's Bob Speidel  
11 with Com-net Ericcson.

12 In the third paragraph, third sentence, you have,  
13 "To the extent that SDR might allow," and it goes on. That  
14 sentence, I have a little difficulty with it. I just might  
15 make a suggestion that we change -- it says, "To the extent  
16 that an SDR allows," instead of "might allow an individual,"  
17 blah-blah-blah, and procedures. Maybe a comma after this,  
18 "This increases the possibility that misuse, even  
19 intentionally or unintentionally, will occur."

20 And then in the next paragraph you say --

21 MR. NASH: Hold on. "...allows an individual that

1 have not been appropriately approved through FCC processes  
2 and procedures"?

3 MR. SPEIDEL: A comma, and then "this increases  
4 the possibility that misuse, either intentionally or  
5 unintentionally, may occur."

6 And I'm not sure even if that's grammatically  
7 correct. I know what we are trying to get across there but  
8 I'm making a little difficulty.

9 MR. NASH: Do we want to maybe just go period, and  
10 then "This increase" as a separate sentence?

11 MR. SPEIDEL: That's fine too. Yup.

12 MR. NASH: Shorten that sentence down?

13 MR. SPEIDEL: Sure. Sure. Then it would be just  
14 a phrase.

15 MR. NASH: A semicolon. Okay.

16 MR. SPEIDEL: Or just say, instead of "To the  
17 extent --

18 MR. NASH: All right, we will leave it as a comma.

19 MR. SPEIDEL: All right.

20 And then in the last sentence in that paragraph,  
21 Glen, I changed the word "the NCC is concerned that such

1 capability..." I changed "capability" to the word "misuse".

2 I know it's the capability that facilitates that.

3 MR. NASH: Okay.

4 MR. SPEIDEL: But we are concerned really about  
5 the misuse here.

6 MR. NASH: All right.

7 MR. SPEIDEL: And in the last paragraph, I just  
8 said, I changed it and said that "The Commission consider  
9 provisions for enhanced enforcement," because this is an  
10 NOI. I would assume it's going to an NPRM, which is really  
11 not a decision, so once again it's -- you know, it's more of  
12 a proposal.

13 MR. NASH: Okay, "consider" provisions.

14 Then take out "within its decision"?

15 MR. SPEIDEL: Right, yeah, I would just suggest  
16 you do that.

17 MR. SCHLIEMAN: One additional comment?

18 MR. NASH: Sure.

19 MR. BEEFERMAN: Steve Beeferman.

20 At the end I thought there might be a sentence  
21 added that sort of summarizes the thing and takes a positive

1 view that, you know, "including the limitations noted  
2 herein, the Committee supports development of SDR." I think  
3 it's in our interest to promote that.

4 MR. NASH: Okay, say that again.

5 MR. BEEFERMAN: "To the extent of the limitations  
6 or problems noted above, the committee endorses the  
7 Commission's effort to promote the development of SDR."

8 MR. NASH: Okay, "To the extent of the potential  
9 problems noted above, the NCC --

10 MR. BEEFERMAN: Supports.

11 MR. NASH: "...supports the development of SDR"?

12 MR. BEEFERMAN: Correct.

13 MR. NASH: Is that agreeable to everyone?

14 MR. SCHLIEMAN: I think on that last sentence you  
15 should --

16 MR. WILHELM: Bob, identify yourself, please.

17 MR. SCHLIEMAN: Robert Schlieman.

18 You should start the sentence, "Except for the  
19 problems noted above," because it's not "to the extent."  
20 We're not supporting it because of these deficiencies that  
21 we feel.

1           MR. LELAND: Wayne Leland with Motorola.

2           I think we need to be very careful about, at least  
3   at this point in time without, you know, reviewing the whole  
4   NOI and come out and say this is a great and wonderful thing  
5   that NCC supports. I think we have kept the target to the  
6   issue of concern here, but if we open it up to say "NCC  
7   supports" this whole thing, then I think it's a much broader  
8   issue and needs much broader discussion.

9           MR. NASH: Yeah, I -- I tend to agree with you  
10   because, again, we note that we have not conducted an  
11   extensive review of the entire NOI but have just noted this  
12   one issued. So to then come out and say that except for  
13   this one issue that we have identified, we support  
14   everything else kind of goes against that statement.

15          MR. BEEFERMAN: Yeah, I would agree that that's  
16   too far-reaching.

17          MR. WILHELM: Identify yourself, please.

18          MR. BEEFERMAN: Steve Beeferman, Data Radio.

19          I think we support it in terms of the potential,  
20   it has potential development that can aid in public safety,  
21   so we don't have to endorse it in lot, but I think it needs



1 to be recognized as having support in general.

2 MR. NASH: Yeah, I'm just concerned -- you know,  
3 if we have something even that says, "except for the  
4 potential problems noted above" implies that other than this  
5 one problem there is nothing else that's wrong, you know.  
6 So I'm not sure that there is a way --

7 MR. BEEFERMAN: I don't see why we are so  
8 reluctant to support something that could be a very  
9 positive, despite the fact there are some issues, I mean  
10 we're only at the NOI stage, where there would be such a  
11 concern for supporting something that's it's a dramatic  
12 positive for our industry.

13 MR. NASH: Understood, but what's been pointed out  
14 is that there are many issues within the NOI and we haven't  
15 addressed consideration of them.

16 MR. BEEFERMAN: Well, perhaps a statement to the  
17 effect that this committee will continue to examine issues  
18 and look forward to further action on the Commission's part  
19 in its determination in what action they are going to take.

20 That speaks to that point, I believe.

21 It just doesn't say we looked at it and it has

1     these problems and thank you.  I think we need to put a  
2     positive spin on the thing if not to ad hoc accept  
3     everything that's in there.

4                 MR. MCDOLE:  Art McDole.

5                 I respectfully disagree with the other statement.

6     I think you have said all that in the second paragraph,  
7     indicated the support by indicating what you see good about  
8     the process.

9                 And I agree with you that unless we go into each  
10    of the other points in the NOI, that we should not add  
11    anything at the bottom.  I think it's fine the way you've  
12    got it.

13                MR. TOLMAN:  Tom Tolman with NIJ.

14                In the last few years I have been making  
15    presentations about the 10 disparate bands, and perhaps  
16    there is something I don't know about an eleventh band  
17    there, so I'd like to know about that if there is indeed 11  
18    disparate bands.  It's my understanding it's 10.

19                MR. NASH:  I'll look at it.

20                MR. TOLMAN:  Well, if you're including -- if  
21    you're including the 700, then this language --

1 MR. NASH: No, I wasn't including 700.

2 MR. TOLMAN: No.

3 MR. NASH: We have VHF low band, 70 megahertz, the  
4 138 to 144 federal, the public safety high band, then the  
5 federal one 60 to 174. You've got the 220, the federal UHF  
6 at 406, the public safety at 450, the T-band at 470, the 806  
7 and then the NPSTC is how I figure 11.

8 MR. TOLMAN: Okay.

9 MR. PICKERAL: David Pickeral, Booz, Allen &  
10 Hamilton.

11 At the risk of beating a dead horse I want to  
12 support the comments of Mr. Nash and others because at this  
13 juncture I don't think it's necessary to come out as  
14 necessarily supporting any particular position. The NOI is  
15 issued because the Commission is asking for commentary and  
16 concerns on the part of the community.

17 At such a point when they have a notice of  
18 proposed rulemaking or some other actual action on the  
19 Commission, I think it would be more right to come out in  
20 support of certain positions or others. But at this point,  
21 as you correctly pointed out, they merely want to know what

1 the major issues are, and I think we have done that in the  
2 document you have drafted here without needing to into  
3 munici or taking a specific advocacy position.

4 MR. NASH: Okay.

5 MR. BEEFERMAN: Steve Beeferman, Data Radio again.

6 The point I am trying to make is simply this.  
7 Does the committee support the future development of SDR?  
8 This committee and public safety in general is going to be  
9 looking for additional spectrum space. We don't know where  
10 that space is going to be. The fact that the SDR has the  
11 potential for accommodating that future spectrum, which I  
12 gather you could say it was owed to the public safety  
13 community in view of the previous studies that were done.  
14 This kind of lays a ground for the fact that we recognize  
15 the value of this technology in our future requirements.

16 So I guess the real simple question is yes or no,  
17 does this committee support the future development of  
18 software defined radio. I don't see what's so problematic  
19 about making a statement like that.

20 MR. NASH: Okay. Again, I guess -- I'm hearing  
21 several comments saying that the way it's stated in

1 paragraph two there does that to the satisfaction of the  
2 committee.

3 Is there any support, you know, for a stronger  
4 statement as suggested by Mr. Beeferman?

5 (No response.)

6 MR. NASH: So my sense of the group is to -- with  
7 just a couple of minor changes, and let me go over them here  
8 based on, you know, what you have before you.

9 Is the second paragraph beginning at the sentence,  
10 "Whether this ultimate implementation can become practical,"  
11 make that a separate paragraph. And what shows there as  
12 being the third paragraph down in approximately middle where  
13 it's, "To the extent that an SDR might allow," change that  
14 to "To the extent that an SDR allows," delete the word  
15 "might".

16 And then further down in that same paragraph,  
17 "Through FCC processes and procedure, this increases the  
18 possibility that misuse." And the next sentence, "The NCC  
19 is concerned that such misuse may further increase  
20 interference problems." And the in the final paragraph,  
21 "The NCC recommends that the Commission consider provisions

1 for enhanced enforcement of the rules prohibiting..." and  
2 that those be the only changes to what you have before you.

3 Is that agreeable to the group?

4 (No response.)

5 MR. NASH: Seeing a lot of head nodding.

6 MR. BEEFERMAN: Just one final comment. Steve  
7 Beeferman.

8 I don't know that, you know, it's been reflected  
9 here that there is the intent of the committee to read the  
10 NOI in detail to understand the issues and the importance of  
11 making it known to the Commission that it has an  
12 understanding and that it is important, even with the  
13 context of we don't know all the answers or we don't want to  
14 make a full commitment. It is perhaps, you know, in the  
15 context of trying to, you know, imply what's in the  
16 statement rather to make it clear and just say "we support  
17 it."

18 If that's not the agreement of the people here, I  
19 guess we have to accept that. But I can't see why this  
20 committee can't positively comment on a very fundamental  
21 issue, and what you are saying is "We don't support it," in

1 my opinion.

2 MR. NASH: No, I think the way that the comment is  
3 here is that we are -- is more of a neutral statement, we  
4 neither support nor not support it. And the issue at hand  
5 is that this committee has really not had an opportunity to  
6 consider the document in its entirety, and all of the issues  
7 and concerns that may lie within.

8 And so to come to a decision that we either  
9 support or not support the development is going further than  
10 this committee is willing to go at this point and  
11 specifically as a NOI we are pointing out a specific issue  
12 that is of particular concern to this committee for the  
13 Commission to consider as it moves forward.

14 And I think, you know, in the future should the  
15 Commission come out with an NPRM or other proceeding on this  
16 issue, that it may be within the preview of the committee,  
17 you know, to take a look at that other document and make  
18 recommendations relative to it, you know, to the extent that  
19 this committee may choose to do so and to the extent that it  
20 may be within our charter to do so.

21 So I think that this point what I am sensing is,

1     you know, consensus with those changes I enumerated; that we  
2     will forward this document to the NCC steering committee  
3     that meets in about 45 minutes for consideration to the  
4     Chair to, you know, draft a letter and submit to the  
5     Commission on this particular docket.

6             Not hearing any strong complaints to my  
7     declaration of consensus, we will adjourn and I guess  
8     everybody can go to lunch.

9             MR. WILHELM:   Well, we'll take a lunch break as  
10    part of the meeting that starts at 11:30.

11            MR. NASH:    Okay.

12            MR. WILHELM:   You are more than welcome to get  
13    lunch now if you wish.   And the steering committee and the  
14    sponsors and committee chairs, please meet us at the door on  
15    my left at 11:00.   Thank you.

16            Reminder please that you should sign in at the  
17    desk to my left because the Federal Advisory Committee Act  
18    requires us to record everyone present at the meetings.   So  
19    if you have not signed in today, would you please see Joy  
20    Alford at the desk to the left and sign in?   Thank you.

21            (Whereupon, at 10:51 a.m., the meeting in the



1   above-entitled matter was recessed, to resume at 11:45 a.m.,  
2   this same day, Friday, June 2, 2000.)

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